

## REMARKS

This Response is submitted in reply to the Office Action dated January 25, 2005. Claims 1-15 are pending in the patent application. Claims 1-15 were rejected under 35 U.S.C. § 103(a). Claims 1, 7, 9, 10 and 11 have been amended. Claims 16-20 are new. No new matter has been added thereby. At least for the reasons set forth below, Applicants believe that the rejections raised in the Final Office Action have been overcome and thus should be withdrawn.

Claims 1-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,880,731 to Liles et al. ("Liles") in view of U.S. Patent No. 6,064,383 to Skelly ("Skelly"). Thus, the Patent Office primarily relies on Liles and further relies on the Skelly reference to remedy the deficiencies of same. Applicants believe that this rejection is improper and further the combination of Liles and Skelly is distinguishable from the claimed invention as defined by claims 1-20. Of the pending claims at issue, claims 1, 7, 9, 10 and 11 are the sole independent claims.

The claimed invention is directed to an information processing device and method and recording medium for enabling a plurality of users to participate as avatars in a virtual space where the feeling expressions of an avatar corresponding to a user's conditions are managed. Specifically as defined by Claim 1, in one embodiment, the claimed invention is directed to an information processing device including a manager for managing data and feeling expressions of an avatar which correspond to a user's conditions. The managing data is selected from at least one of a plurality of conditions and a plurality of levels associated with each condition, wherein each of the feeling expressions are based on at least one of the conditions and one of the levels, an input device provided with a function of detecting information on a living body, and an image input device. See, Specification, for example, pg. 13, ln. 21-27. The device also includes a storage area for storing data on image displays of the avatar which correspond to the feeling expressions. The device further includes a display controller for controlling the image displays of the avatars based on the data stored in the storage area.

Claim 7 is directed to an information processing method for enabling a plurality of users to participate as respective avatars in a virtual space constructed on a network and having conversations with each other. This method includes certain similar elements to amended Claim 1; claim 9 is directed to a recording medium in which an information processing program is

stored for executing steps to enable a plurality of users to participate as respective avatars in the virtual space constructed on a network; claim 10 is directed to a program for executing functions in a virtual space constructed on a network in which a plurality of users participate in its respective avatars and have conversations with other users; and, claim 11 is directed to a character device used in connection with the communication terminal device which jointly uses a virtual space with other communication terminal devices. Independent claims 7, 9, 10 and 11 have been amended to include managing data features as described above with respect to claim 1.

Applicants believe that the claimed invention is distinguishable over the cited art. For example, Liles discloses a graphic chat session where each participant is enabled to select and initiate an animation employing the avatar. The animation conveys a desired emotion and/or state of mind to another participant in the chat session. The animation selected by the participant to convey the desired emotion and/or state of mind may selectively be displayed in combination with a textual message that is transmitted by the participant. Col. 3, ln. 33-40. Clearly, this fails to disclose or suggest a manager for managing data on feeling expressions of an avatar which correspond to a user's conditions, wherein in part, said managing data is selected from an input device provided with a function of detecting information on a living body, and an image input device as required, in part, by the claimed invention as discussed above. Therefore, Liles on its own is clearly deficient with respect to the claimed invention.

Further, Applicants do not believe that the Patent Office can rely solely on Skelly to remedy the deficiencies of Liles. Neither Skelly nor Liles disclose or suggest where said managing data is selected in part, from an input device provided with a function of detecting information on a living body, and an image input device. This feature of the claimed invention allows a user to input their feelings by another method. For example, in addition to setting one's feeling from the condition input window, a user may be provided with a mouse that has a function of detecting information on a living body such as the amount of perspiration or heart rate. The avatar's feeling can then be set based upon that input. Further, a camera or the like may be used to view a user's facial expressions. The variation in the facial expressions of a user can then be analyzed to set the condition of the avatar. Col. 13, ln. 21-27. No aspect of Skelly or Liles discloses or suggests same.

Accordingly, Applicants respectfully request that the obviousness rejection with respect to claims 1-15 be withdrawn.

Applicants have also added new claims 16-20 as fully supported in the specification, for example, on page 12 at lines 18-21. Newly added claims 16-20 depend from one of independent claims 1, 7, 9, 10 and 11. Applicants believe that claims 16-20 are patentable over Liles and Skelly at least for substantially the same reasons as described above.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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